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RUEHMN/AMEMBASSY MONTEVIDEO PRIORITY 0093  
RUEHSA/AMEMBASSY PRETORIA PRIORITY 1541  
RUEHMT/AMCONSUL MONTREAL PRIORITY 0241  
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C O N F I D E N T I A L SECTION 01 OF 02 PORT AU PRINCE 001959

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E.O. 12958: DECL: 12/14/2017  
TAGS: [PGOV](#) [PREL](#) [KDEM](#) [HA](#)  
SUBJECT: NEW PROVISIONAL ELECTORAL COUNCIL SWORN IN

REF: A. PORT AU PRINCE 1931

[1](#)B. PORT AU PRINCE 1649

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Classified By: Ambassador Janet A. Sanderson for reasons E.O. 12958, 1.  
4 (b) and (d).

[1](#)1. (C) Summary: President Preval and the Cabinet of Ministers signed a decree December 11 naming new members of the Provisional Electoral Council (CEP). The new councilors were sworn in and assumed office December 12. Preval has yet to officially announce his choice for Director General, Jacques Bernard, or set a date for the renewal of one-third of the Senate. Although the new CEP mandate includes completion of indirect elections, Preval has little desire to implement them. With a council including many who support him, Preval may attempt to influence the elections process through them. The Haitian electoral system is once again in transition, an undertaking that has proven time-consuming and contentious in the past. The ability of the new councilors, as well as the Director General, to work together effectively will bear heavily on the success of future elections. End Summary.

[1](#)2. (U) The new members of the Provisional CEP are:

-- Ms. Ginette Cherubin: Representative of women's groups. Cherubin, an architect by training, is a former Minister of Women's Affairs.

-- Ms. Laurette Croyance: Representative of the Anglican Church.

-- Pastor Leonel Raphael: Representative of the Protestant Federation.

-- Mr. Jacques Belzin: Representative of labor unions. Belzin is deputy secretary general of the Confederation of Haitian Workers and member of the National Federation of Education Workers (FENATEC).

-- Mr. Rodol Pierre: Representative of ''popular

organizations.'' Pierre was an active Aristide militant but has not been seen in recent public protests.

-- Mr. Gaillot Dorsainvil: Representative of the handicapped. Though not handicapped himself, Dorsainvil has worked at a special education center for 20 years.

-- Mr. Francois Jasmin: Representative of the National Council of Political Parties.

-- Mr. Fritz Roseme: Representative of the Assembly of Haitian Political Parties (Convention des Partis Politiques Haitiens, or CPPH, in French). Roseme is a member of the political party GREH (Grand Rally for the Evolution of Haiti).

-- Mr. Frantz-Gerard Verret: Representative of the Catholic Church's Conference of Bishops.

-- There is still no announcement of the appointment of Jacques Bernard as Director General of the CEP, but sources in political parties and in MINUSTAH -- echoed in the local press -- all believe he will be announced as soon as he returns from a personal visit to the U.S.

13. (U) The CEP mandate, as defined in Article 2 of the December 11 decree, has three parts. The first is to organize the elections to renew one-third of the Senate. The second is to organize by-elections to fill all other elected posts currently vacant or that become vacant during the course of the mandate. The third is to organize the indirect elections for the Municipal and Departmental Assemblies, Departmental Councils and the Interdepartmental Council, collectively known as the territorial community administrations, on the condition that Parliament establish the necessary legal frameworks relative to the organization and functioning of those bodies. Article 3 states that the members' mandate ends with the completion of the mission as

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defined in Article 2.

14. (U) The presiding judge of the Court of Appeals swore in the nine councilors at the Palace of Justice December 12. Prime Minister Alexis presided over the subsequent official 'installation' of the new councilors that same day at CEP headquarters. Four of nine outgoing councilors attended the ceremony -- Max Mathurin, Rosemond Pradel, Freud Jean and Pauris Jean Baptiste. (Note: The three most disruptive councilors -- Patrick Fequiere, Louis Gerson Richeme and Pierre-Richard Duchemin -- were conspicuous by their absence. End note.) In his farewell speech, former CEP President Mathurin spoke of the difficult circumstances with which the CEP contended during his tenure but concluded that in the end, they had been successful and brought Haiti close to 'the promised land.' The Prime Minister spoke next, calling for administrative and budgetary transparency in the new CEP to preserve public confidence. New councilor Ginette Cherubin spoke on behalf of the new CEP members. She said this CEP is the 'beginning of the end of a long transition period.' She called on the GOH to respect the independence and autonomy of the CEP, and recalled that Preval had pledged to 'stay away from the CEP.' She emphasized that the GOH must, however, provide financial and other means necessary for the full functioning of the CEP. She also pointed out that Parliament has the responsibility to create a legal framework for the indirect elections (Note: The amount of legislation needed to complete this task is subject for debate.(ref A) End note.)

15. (U) Several steps remain before the new CEP councilors begin their work in earnest. Preval has not yet officially named Jacques Bernard as Director General or set a date for the Senate elections. The 2005 electoral decree must be modified into a new electoral law and passed through both chambers of Parliament. Furthermore, the Council must hold internal elections for leadership positions on the council,

and begin taking stock of the status of resources, financial and other, left to them by the outgoing CEP.

¶6. (C) Comment: Now that the new CEP members are installed, the real work begins. The emphasis at the installation ceremony on the CEP's independence was appropriate and necessary. Despite the CEP's constitutionally-mandated independence from the Executive, Preval still wields considerable authority over the elections process. Ginette Cherubin, who appeared during the swearing-in to be the emerging leader of the incoming CEP, is a close ally of Preval, as are several other councilors. Preval still has to announce a date for the Senate elections. The CEP councilors must also establish a working relationship among themselves and with the new Director General -- which given the past performance of the outgoing CEP, is far from a foregone conclusion.

¶7. (C) Comment continued: The inclusion of indirect elections in the new CEP's mandate is no guarantee that those elections will take place. Preval has made it clear that he is not interested in indirect elections, saying a new CEP offsets the need for indirect elections because their main outcome is formation of a permanent CEP (ref B). His original plan was to exclude indirect elections from the CEP's mandate entirely. In addition, one element in the Constitution he wants to amend is the heavily decentralized local government structures, the other result of indirect elections.

SANDERSON